

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Eric Compton on 09/01/09.

The application has been amended as follows:

In claim 1, lines 13-14, "substantially parallel to the substrate surface" is deleted.

In claim 1, lines 16-17, "substantially parallel to the substrate surface, wherein the second axis is substantially perpendicular to the first axis" is deleted.

Claims 16-30, 32 are canceled.

33. (NEW) --A method according to claim 1, wherein the first and second axes are substantially parallel to the substrate surface-- is added.

34. (NEW) --A method according to claim 33, wherein the second axis is substantially perpendicular to the first axis-- is added.

Claims 1, 3-12, 14-15, 31, 33-34 remain pending.

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

The instant invention is distinguished over the prior art of record as stated by the Applicant's remarks with the amendment claims filed on 06/18/09 as indicative of the novelty of the invention in claim 1.

Since the prior art of record neither teaches nor suggests the combination of limitations recited in the instant claims, one skilled in the art would not have been motivated to perform the claimed process. Therefore, since claim 1 is deemed allowable over the prior art of record, claims 3-12, 14-15, 33-34 are allowable by dependency.

### ***Acknowledgement of Applicant's Amendments***

Objection of claims 1 and 14 have been withdrawn due to Applicant's amendment filed on 06/18/09.

The rejection of the claims under nonstatutory obviousness-type double patenting is withdrawn due to Applicant's amendments.

The rejection of the claims under 35 U.S.C. 103 is withdrawn due to Applicant's amendments; hence, subject matter is due for allowance.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to MANDY C. LOUIE whose telephone number is (571)270-5353. The examiner can normally be reached on Monday to Friday, 7:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on (571)272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. C. L./  
Examiner, Art Unit 1792

/Timothy H Meeks/  
Supervisory Patent Examiner, Art Unit 1792